



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB1517

Introduced 2/7/2013, by Sen. Michael Connelly

#### SYNOPSIS AS INTRODUCED:

|                    |                         |
|--------------------|-------------------------|
| 30 ILCS 705/4      | from Ch. 127, par. 2304 |
| 30 ILCS 705/11     | from Ch. 127, par. 2311 |
| 30 ILCS 705/15 new |                         |

Amends the Illinois Grant Funds Recovery Act. Adds to the list of requirements on a grant application. Provides that a grant agreement must contain proof of either the existence of a line of credit or the financial solvency of the grantee. Prohibits the award of a grant if a family relationship exists between the grantee or its leadership and the funding agency. Provides that all administrators and service providers must be appropriately credentialed in their respective fields. Sets requirements concerning quarterly updates and reports to the grantor agency. Provides that if the funds received from the grant are used to provide State services, then the clients for recipients of those services may not be charged an additional fee for those services.

LRB098 09762 OMW 39912 b

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Grant Funds Recovery Act is amended  
5 by changing Sections 4 and 11 and by adding Section 15 as  
6 follows:

7 (30 ILCS 705/4) (from Ch. 127, par. 2304)

8 Sec. 4. Grant Application and Agreement Requirements.

9 (a) Any person or organization, public or private, desiring  
10 to receive grant funds must submit a grant application to the  
11 appropriate grantor agency. Applications for grant funds shall  
12 be made on prescribed forms developed by the grantor agency,  
13 and shall include, without being limited to, the following  
14 provisions:

15 (1) the name, address, ~~chief officers,~~ and general  
16 description, and organizational history of the applicant,  
17 together with the names of the chief officers of the  
18 applicant and the members of its board of directors or  
19 other governing body;

20 (2) a general description of the program, project, or  
21 use for which grant funding is requested;

22 (3) such plans, equipment lists, and other documents as  
23 may be required to show the type, structure, and general

1 character of the program, project, or use for which grant  
2 funding is requested;

3 (4) cost estimates of developing, constructing,  
4 operating, or completing the program, project, or use for  
5 which grant funding is requested; ~~and~~

6 (5) a program of proposed expenditures for the grant  
7 funds; and -

8 (6) a list of affiliations, including current or prior  
9 relationships, with any State agencies.

10 (b) Grant funds may not be used except pursuant to a  
11 written grant agreement, and any disbursement of grant funds  
12 without a grant agreement is void. At a minimum, a grant  
13 agreement must:

14 (1) describe the purpose of the grant and be signed by  
15 the grantor agency making the grant and all grantees of the  
16 grant;

17 (2) specify how payments shall be made, what  
18 constitutes permissible expenditure of the grant funds,  
19 and the financial controls applicable to the grant,  
20 including, for those grants in excess of \$25,000, the  
21 filing of quarterly reports describing the progress of the  
22 program, project, or use and the expenditure of the grant  
23 funds related thereto;

24 (3) specify the period of time for which the grant is  
25 valid and, subject to the limitation of Section 5, the  
26 period of time during which grant funds may be expended by

1 the grantee;

2 (4) contain a provision that any grantees receiving  
3 grant funds are required to permit the grantor agency, the  
4 Auditor General, or the Attorney General to inspect and  
5 audit any books, records, or papers related to the program,  
6 project, or use for which grant funds were provided;

7 (5) contain a provision that all funds remaining at the  
8 end of the grant agreement or at the expiration of the  
9 period of time grant funds are available for expenditure or  
10 obligation by the grantee shall be returned to the State  
11 within 45 days; ~~and~~

12 (6) contain a provision in which the grantee certifies  
13 under oath that all information in the grant agreement is  
14 true and correct to the best of the grantee's knowledge,  
15 information, and belief; that the funds shall be used only  
16 for the purposes described in the grant agreement; and that  
17 the award of grant funds is conditioned upon such  
18 certification; and -

19 (7) contain proof of either the existence of a line of  
20 credit or the financial solvency of the grantee.

21 (c) No family relationship, which may be defined as one or  
22 more persons each related to the other by blood, marriage, or  
23 adoption and maintaining a common household, may exist between  
24 the grantee or its leadership and the funding agency.

25 (d) All contracts entered into pursuant to this Act are  
26 subject to the requirements of the Illinois Procurement Code.

1       (e) All administrators and service providers must be  
2 appropriately credentialed in their respective fields, as  
3 required under State or federal law.

4       (f) A grantee must provide a certificate of good standing  
5 from the Secretary of State's Department of Business Services  
6 and the Office of the Attorney General's Charitable Trusts  
7 Bureau prior to receiving funding, and again for each year of a  
8 multi-year award.

9       (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793  
10 for the effective date of changes made by P.A. 96-795).)

11       (30 ILCS 705/11) (from Ch. 127, par. 2311)

12       Sec. 11. Accounting Requirements. Each grantee is under an  
13 affirmative duty to keep proper, complete and accurate  
14 accounting records of all grant funds the grantee administers.  
15 A grantee must provide to the grantor agency quarterly updates  
16 that include program goals, expected outcomes, progress to date  
17 on goals and outcomes, and current financial reports. Each  
18 grantee must also provide to the grantor agency quarterly  
19 reports listing each expenditure of grant funds made during  
20 that quarter, including, but not limited to, the identification  
21 by name and address of the specific recipient of each  
22 expenditure.

23       (Source: P.A. 83-640.)

24       (30 ILCS 705/15 new)

1       Sec. 15. State services. If the funds received from the  
2       State grant are used to provide State services, then the  
3       clients for recipients of those services may not be charged an  
4       additional fee for those services.